UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/007,713	11/13/2001	John Matthew Santosuosso	ROC920010222US1	6341

7590	07/14/2005

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EXAMINER
NGUYEN, CAM LINH T

ART UNIT	PAPER NUMBER
2161	

DATE MAILED: 07/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _11 May 2005_.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-36_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-36_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some *   c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

Response to Amendment

1.   This Office Action is response to the Appeal brief filed on 5/11/2005. Consequently,

claims 1 – 36 are currently pending.

2.   In view of the appeal brief filed on 5/11/2005 PROSECUTION IS HEREBY

REOPENED. New ground of rejection is set forth below.

To avoid abandonment of the application, appellant must exercise one of the following

two options:

(1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply under 37

CFR 1.113 (if this Office action is final); or,

(2) request reinstatement of the appeal.

If reinstatement of the appeal is requested, such request must be accompanied by a

supplemental appeal brief, but no new amendments, affidavits (37 CFR 1.130, 1.131 or 1.132) or

other evidence are permitted. See 37 CFR 1.193(b)(2).

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

4.   Claims 1 – 36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Birnbaum

et al (U.S. 2002/0143878 A1) in view of Smith et al (U.S. 6,578,078).

♦ As per claim 11,

Birnbaum et al (U.S. 2002/0143878 A1) (herein Birnbaum) discloses a method, a signal bearing

medium (Fig. 4, second computer), comprising a program which, when executed by a processor

(Fig. 5, paragraph 0093), performs an operation for updating a database, the operation

comprising:

-     " Receiving a change request from a web browser, the change request indicating the web

      browser has detected a change related to a web page for which information is stored in

      the database" See Fig. 2A, paragraph 0056, 0064 – 0065, 0067 of Birnbaum.

Birnbaum does not clearly teach that:

-     " Updating a database in response to receiving a change request from a browser"

Birnbaum only teaches that the system will be acted on the information depend upon the nature

of the information (paragraph 0079 – 0080), but does not clearly teaches that the database is

updated in response to the request.

Smith, however, on the other hand, discloses a method for update a web address in the server in

response to a request comprising: "Updating a database in response to receiving a change request

from a browser" (See Fig. 1, element 10, 26, col. 13 lines 1 – 10, col. 14 lines 8 – 17 of Smith).

In particular:

•   "A change request" corresponds to the command from the author to move or

      delete a page.

•   Because the author can use a computer as disclosed in Fig. 6, in which the author

      use a network connection to issue the command, therefore, the command is issued

      from a browser.

It would have been obvious to one with ordinary skill in the art at the time the invention was made to apply the teaching of Smith into the invention of Birnbaum because the combination would provide an up-to-date database in response to a user request from a web browser.

◆ As per claim 1

Birnbaum et al (U.S. 2002/0143878 A1) (herein Birnbaum) discloses a method, a signal bearing medium (Fig. 4, second computer), comprising a program which, when executed by a processor (Fig. 5, paragraph 0093), performs an operation for updating a database, the operation comprising:

- " Monitoring operation of a web browser program to detect an event indicating a change involving a web page for which information is stored in the database" See Fig. 2A, paragraph 0056, 0064 – 0065, 0067 of Birnbaum.

- " In response to the detecting such an event, sending a notification to the database containing the information causing the information to be updated in accordance with the change" See Fig. 2A, element 104, paragraph 0056, 0064 – 0065, 0067 of Birnbaum

Birnbaum does not clearly teach that:

- " Updating a database in response to receiving a change request from a browser"

Birnbaum only teaches that the system will be acted on the information depend upon the nature of the information (paragraph 0079 – 0080), but does not clearly teaches that the database is updated in response to the request.

Smith, however, on the other hand, discloses a method for update a web address in the server in response to a request comprising: "Updating a database in response to receiving a change request

from a browser" (See Fig. 1, element 10, 26, col. 13 lines 1 – 10, col. 14 lines 8 – 17 of Smith).

In particular:

- "A change request" corresponds to the command from the author to move or
  delete a page.

- Because the author can use a computer as disclosed in Fig. 6, in which the author
  use a network connection to issue the command, therefore, the command is issued
  from a browser.

It would have been obvious to one with ordinary skill in the art at the time the invention was

made to apply the teaching of Smith into the invention of Birnbaum because the combination

would provide an up-to-date database in response to a user request from a web browser.

♦ As per claims 2, 12, 25, the combination of Birnbaum and Smith disclose:

- "Verifying whether a data table in the database allows automatic updates before sending
  the notification" see col. 13 lines 19 – 21, col. 18 lines 35 – 37 of Smith.

♦ As per claims 3 – 4, 13 – 14, the combination of Birnbaum and Smith disclose:

- " Attaching the database to the web browser through a login process". Because the
  computer used in Smith can be a network computer (col. 19 lines 1 – 19 of Smith), the
  database can be located in local or remote location. The user must use the network
  connection to connect with the database using the login process (col. 20 lines 7 – 19 of
  Smith). The system also provides an extra layer of security in order to gain access to the
  system or attach the database to the browser (See col. 5 lines 46 – col. 6 lines 10 of
  Smith).

- " The browser resides on a client system and the database resides on a server system" See
  Fig. 6, col. 20 lines 20 – 33 of Smith.

♦ As per claims 5 – 7, 15 – 17, 26, 31, 35, the combination of Birnbaum and Smith disclose:

- " The event comprises receiving, from a web server, a page redirect request to change a
  uniform resource locator (URL) or a web page from a first network address to a second
  network address" See Fig. 1, element 18 – 20, col. 13 lines 36 – 43 of Smith.

- Smith also discloses a table to store URL and update this table when a new data is
  entered (See col. 11 lines 49 – 63 of Smith).

- " The first and second network addresses are utilized as links on a web page" See col. 13,
  lines 50 – 65 of Smith.

♦ As per claims 8 - 10, 18 – 20, 27 – 28, 32, 36, the combination of Birnbaum and Smith
disclose:

- " The event comprises a change in a web page" See Fig. 1, element 10 of Smith.

- " The notification sent to the database contains sufficient information to update the
  database to reflect the change in the web page" col. 19 lines 1 – 19 of Smith.

♦ As per claims 21, 29 – 30, 33 – 34, the combination of Birnbaum and Smith disclose:

With all limitation as claimed in claims 11, 1, further claim 21 includes a memory

contains a database management system comprising a database update program. The "database

update program" corresponds to the "Referential Preservation engine Database" See the abstract.

Claim 29 further includes a "list of network addresses" See col. 11 line 49 – 63 of Smith.

Further claim 29 includes: "automatically accessing each network address on a list of network

address referenced in the database" See Fig. 4, col. 13, lines 30 – 50 of Smith.

♦ As per claims 22 - 23, the combination of Birnbaum and Smith disclose:

- " A network connection configured to allow communication with the browser via the Internet" See Fig. 6 of Smith.

♦ As per claim 24, the combination of Birnbaum and Smith disclose:

- " The database update program is part of a database server" See col. 19 line 1 – 8 of Smith.

Conclusion

5.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to CamLinh Nguyen whose telephone number is (571) 272-4024. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic can be reached on (571) 272-4023. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 305-3900.

LN

HOSAIN ALAM
SUPERVISORY PATENT EXAMINER